

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.208 OF 2002
IN
SUIT NO.1241 OF 1985

Alimenta S.A.

Plaintiff

versus

National Agricultural Co-op.
Marketing Federation of
India Ltd. and others

Defendants

Mr.Kevik Setalwad i/by Mulla & Mulla for
plaintiff

Mr.Shashipal Shankar for defendants.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 24th June 2005

PC :

1. Except number of the suit in which it is taken out i.e. Suit No.1241 of 1985, the parties, cause of action and issue is identical. Suit No.488 of 1984 and Suit No.1241 of 1985 is between the same parties and the issues are common. Consequently for the reasons already recorded in Notice of Motion No.205 of 2002, present Notice of Motion also deserves to succeed. It is made absolute in terms of prayer clause (a) with no order as to costs.

(S.C.DHARMADHIKARI, J.)